HIGH COURT OF UTTARANCHAL AT NAINITAL

Government Appeal No. 1606 of 2001
(OLD NO. 2886/2000.)

State of U.P. ..... Appellant.

Versus

1. Rajesh Son of Ram Lal r/o Singhni Wall P.S. Sahapur District Dehradun
2. Alijan son of Yusuf
3. Tufail son of Mufail
4. Rajul son of Munfail, All residents of Sangipur, P.S. Luxer District Haridwar
5. Kuldeep son of Yog Raj, near Railway Phatak Doiwala P.S. Doiwala, Distict Dehradun ..... Respondents.

Dated : 14.12.2006

Hon'ble Rajesh Tandon, J.

This is an application under section 378 (3) Cr.P.C. for leave to appeal, against the judgment and order dated 16.6.2000 passed by the Addl. Sessions Judge, Dehradun in Sessions Trail No. 56 of 1999, under sections 396, 395, 397 read with 149 and 412 I.P.C. thereby acquitting the accused respondents.

I have heard the learned A.G.A. and have perused the judgment and order of the Sessions Judge.

In view o the findings by the Sessions Judge that identification of the accused has been done in accordance with law and photographs of the accused persons were shown to the witnesses before identification parade and some accused persons were pointed out at the time of identification parade. I

find no merit in leave to appeal application and the application is rejected.

Accordingly, the appeal is dismissed.

Dated:14.12.2006 **Rajesh Tandon, J**
*Dhyani